

Congress of the United States

Washington, DC 20515

November 16, 2005

The President
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

Dear Mr. President:

We are writing, again, to strongly urge you to take advantage of a rare opportunity to change the makeup of the ineffective Federal Election Commission (FEC) and to request that you not use your recess appointment powers to fill the current vacancies at that agency. Through its repeated failures to properly interpret and enforce campaign finance laws, the FEC, has played a central role in circumventing the law and allowing corrupt practices in our political system. This problem can be fixed by appointing FEC Commissioners who are committed to enforcing the laws as written by Congress and interpreted by the courts.

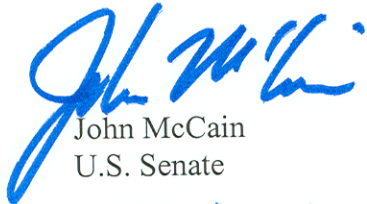
As you may know, on October 21, 2005, the full United States Court of Appeals for the District of Columbia Circuit rejected the FEC's petition for rehearing *en banc* of a panel decision that upheld a District Court ruling striking as contrary to law *fifteen* of the regulations the FEC adopted to implement the Bipartisan Campaign Reform Act of 2002 (BCRA). Incredibly, more than *three and a half years* since you signed BCRA into law, the FEC still does not have proper regulations in place to interpret and enforce BCRA.

There are currently four vacancies on the FEC. It is vitally important to fill these vacancies with individuals who are professionally qualified, independent minded, and publicly credible to carry out the agency's enforcement responsibilities. In the past, some of us have submitted a number of names for your consideration in order to illustrate that there are many qualified candidates who meet the criteria essential to changing the FEC from a captive agency into a real enforcement agency.

In addition, Mr. President, we strongly urge you not to make any recess appointments to the FEC. In the past, recess appointments have been used as a means to place individuals on the FEC without sufficient scrutiny, leading the public and many in Congress to believe that their loyalties lie with the congressional leaders who sponsored them. Given the perpetual impotence of the FEC, it would be most unwise to maintain this approach. Individuals chosen to fill the FEC vacancies at this crucial time should go through the regular confirmation process so the Senate can be assured that they are qualified for the position and committed to carrying out the FEC's important mission.

Mr. President, now is the opportune time to transform the FEC into an effective federal agency capable of re-gaining the public's trust. We thank you for your attention and look forward to working with you to confirm FEC Commissioners who will faithfully interpret and enforce the law.

Sincerely,

A handwritten signature in blue ink, appearing to read "John McCain".

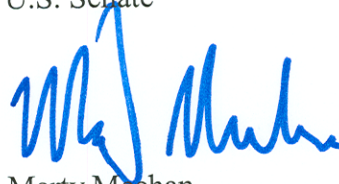
John McCain
U.S. Senate

A handwritten signature in blue ink, appearing to read "Russell D. Feingold".

Russell D. Feingold
U.S. Senate

A handwritten signature in blue ink, appearing to read "Chris Shays".

Christopher Shays
U.S. House of Representatives

A handwritten signature in blue ink, appearing to read "Marty Meehan".

Marty Meehan
U.S. House of Representatives